



City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

May 15, 2007

Honorable Nick Licata
President
Seattle City Council
City Hall, 2nd Floor

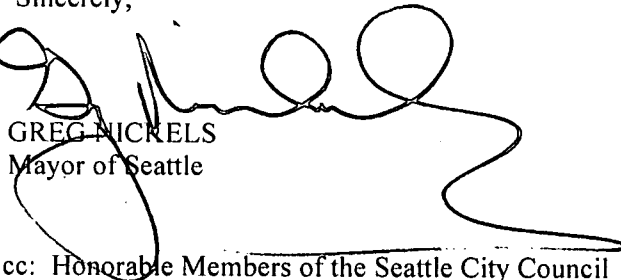
Dear Council President Licata:

I am pleased to transmit the attached proposed Council Bill to adopt changes to Seattle's shoreline regulations that are required by the Washington State Department of Ecology (DOE). This Council Bill amends legislation previously adopted by the City Council, which authorizes light rail facilities in the Shoreline District. The changes are necessary in order for Sound Transit to complete the planned northern segment of Link light rail and to allow possible future extensions of the light rail system.

The Council passed Ordinance 122198, allowing light rail in the Shoreline District. However, before changes to shoreline regulations become effective, they must be approved by the state DOE. As a consequence of its review, DOE required a change to the City's legislation that they believe is needed in order to ensure that only those portions of a light rail project that are outside the Shoreline District are exempt from the requirement for a shoreline substantial development permit. DOE's required changes are in keeping with the legislative intent of Ordinance 122198.

The attached Council Bill will ensure that the progress made to complete this phase of the Link light rail system will continue without interruption. Should you have questions, please contact Miles Mayhew at 615-1256.

Sincerely,



GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

600 Fourth Avenue, 7th Floor, P.O. Box 94749, Seattle, WA 98124-4749

Tel: (206) 684-4000, TDD: (206) 684-8811 Fax: (206) 684-5360, Email: mayors.office@seattle.gov

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ORDINANCE 122448

AN ORDINANCE relating to land use and shorelines; amending Section 23.60.022 of the Seattle Municipal Code, to adopt changes required by the Washington State Department of Ecology pertaining to light rail development in the Shoreline District.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 23.60.022, of the Seattle Municipal Code, which section was last amended by Ordinance 122198, is amended as follows:

23.60.022 Application when development partly out of Shoreline District.

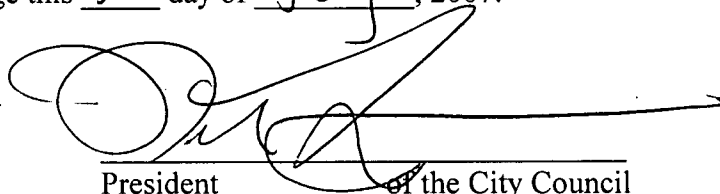
A. The use and development standards of this chapter apply only to that part of the development that occurs within the Shoreline District unless the underlying zoning requires the entire development to comply with all or part of this chapter.

B. Where a substantial development is proposed that would be partly within and partly without the Shoreline District, a shoreline substantial development permit is required for the entire development, except that a shoreline substantial development permit is not required for those portions of a linear transportation use such as light rail tracks, track support structure or tunnels that are outside the Shoreline District. ~~((except that a shoreline substantial development permit is not required for a linear transportation use such as light rail transit where the track, track support structure or tunnel portions are outside the Shoreline District.))~~ A shoreline substantial development permit also is not required for discrete facilities, such as stations, that are wholly outside the Shoreline District.

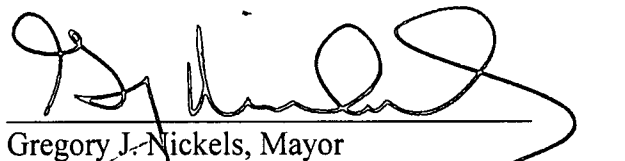
C. The use and development standards including measurement techniques for that portion of the development outside of the Shoreline District shall be as provided by the underlying zoning.

Section 2. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

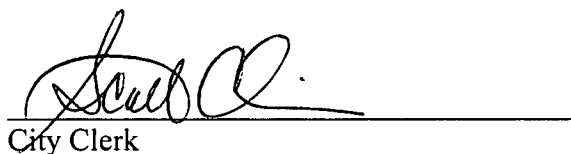
Passed by the City Council the 30th day of July, 2007, and signed by me in open session in authentication of its passage this 30th day of July, 2007.


President _____ of the City Council

Approved by me this 3rd day of August, 2007.


Gregory J. Nickels, Mayor

Filed by me this 6th day of August, 2007.


City Clerk

(Seal)

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
DPD	Miles Mayhew/ 615-1256	Amanda Allen/ 684-8894

Legislation Title:

An ordinance relating to land use and shorelines; amending Section 23.60.022 of the Seattle Municipal Code, to adopt changes required by the Washington State Department of Ecology pertaining to light rail development in the Shoreline District.

• **Summary of the Legislation:**

Amends Sections 23.60.022 of the Seattle Municipal Code in order to comply with Washington State Department of Ecology (DOE) required changes.

Background:

Ordinance 122198 was approved by the Council in 2006 and specifically authorizes light rail facilities in the Shoreline District. Formerly, the City's Shoreline Management Program (SMP) did not acknowledge or specifically reference light rail systems. Under state law, amendments to the City's SMP must be approved by DOE. These amendments adopt changes required by DOE as part of its formal review of Ordinance 122198. The proposed amendments do not modify the legislative intent of Ordinance 122198.

• *Please check one of the following:*

 X This legislation does not have any financial implications.

STATE OF WASHINGTON – KING COUNTY

--SS.

214300
CITY OF SEATTLE, CLERKS OFFICE

No.

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

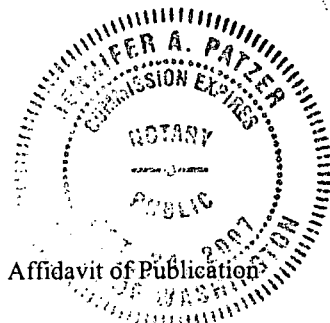
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

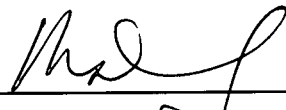
CT:122448 ORDINANCE

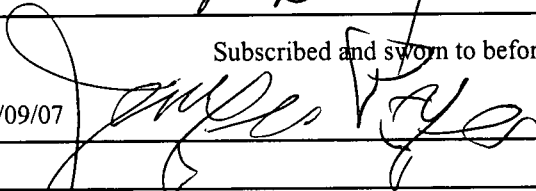
was published on

08/09/07

The amount of the fee charged for the foregoing publication is the sum of \$ 104.63, which amount has been paid in full.





Subscribed and sworn to before me on
08/09/07 

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

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Nick Licata

President of the City Council

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Gregory J. Nickels, Mayor

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(Seal) Judith Pippin

City Clerk

Publication ordered by JUDITH PIPPIN, City Clerk

Date of publication in the Seattle Daily Journal of Commerce, August 9, 2007.

8/9(214800)